

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

FENNER INVESTMENTS, LTD.,

Plaintiff,

v.

HEWLETT-PACKARD COMPANY and  
DELL, INC.

Defendants.

Case No.: 6:08-CV-00273 (LED)

**DEFENDANTS HEWLETT-PACKARD COMPANY AND DELL, INC.'S  
THIRD SUPPLEMENTAL TRIAL WITNESS LIST**

Pursuant to Fed. R. Civ. P. 26(a)(3) and the Court's November 25, 2009 Discovery Order, Hewlett Packard Company ("HP") and Dell, Inc. ("Dell") (collectively, "Defendants") hereby submit their Third Supplemental List of Witnesses for the trial currently scheduled for May 10, 2010, based on Defendants' understanding that all claims going forward are limited to the Accused Switch Products.

Defendants reserve the right to supplement and amend the list in light of any order regarding the scope of the trial or in light of any information submitted by Fenner Investments, Ltd. ("Fenner") as part of its pretrial filings or otherwise. Defendants have not listed such additional witnesses as may be required solely for document authentication, or who may be needed for rebuttal purposes. Finally, Defendants reserve their right to call any witness that appears on Fenner Investments, Ltd.'s witness list, and to offer additional testimony by deposition or trial transcript. At this time, Defendants identify the following witnesses that they expect to present at trial and those whom Defendants may call if the need arises:

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
1.	Gerald Amen			X
2.	George Archuleta			X
3.	Karl Auerbach			X
4.	Fred Baker			X
5.	Dwight Barron		X	
6.	Steve Barry			X
7.	Steven M. Bellovin	X		
8.	Len Bosak			X
9.	Robert Braden			X
10.	John Butler			X
11.	Tom Carbajal			X
12.	Christopher Casias			X
13.	Madeleine Alima Colin			X
14.	Antonio Collantes			X
15.	Paul Congdon		X	
16.	Joe Curcio (live or by deposition designation)	X		
17.	Lehi K. Davis			X
18.	Clem DePalma			X
19.	Allison Dew			X
20.	Jay Dombrowski			X
21.	Jason Echols (live or by deposition designation)	X		

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
22.	Justin Estrin			X
23.	Joseph Farrell (live or by deposition designation)	X		
24.	Bob Faulk		X	
25.	Peter R. Fenner (live or by deposition designation)		X	
26.	Jeremy Foland			X
27.	WITHDRAWN			
28.	Mark Gooch		X	
29.	Darryl Hanson		X	
30.	John Hart		X	
31.	Eric Hayes		X	
32.	Mike Holzer			X
33.	Marc Hubbard			X
34.	WITHDRAWN			
35.	Dwight Jaynes			X
36.	Tony Jeffries			X
37.	Brian Jennings			X
38.	Heidi Johnsich			X
39.	Bill Johnson		X	
40.	Stephen Jue			X
41.	Roger Keisling			X
42.	Bryan Kelly			X

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
43.	Joe Kennedy			X
44.	Andre Kindness			X
45.	Bruce LaVigne		X	
46.	Vincent C. Lefebvre			X
47.	Tony Leija		X	
48.	Jon Lewis			X
49.	Bill Lidinisky			X
50.	Marc Lucas			X
51.	WITHDRAWN			
52.	Orlando Marquez			X
53.	Jim McCreedy			X
54.	Guy McSwain			X
55.	Duane Mentze			X
56.	Jeffrey Mogul			X
57.	Luis F. Moreira		X	
58.	James J. Nawrocki	X		
59.	David O'Leary			X
60.	Pat Nettles			X
61.	Brian Payne			X
62.	Anthony Peterman		X	
63.	David Pokorney			X

No.	Witness	Will Call	May Call	May Call But Probably Won't Call
64.	Dr. Narasimha Reddy	X		
65.	WITHDRAWN			
66.	Mike Roberts			X
67.	Rich Rollins			X
68.	Michael Scriber			X
69.	Michael John ("Mick") Seaman	X		
70.	Laurie Shaw		X	
71.	Dylan Swann			X
72.	Kurt Schneider			X
73.	John A. Shriver (live or by deposition designation)	X		
74.	Brent Soon			X
75.	Dave Sporck			X
76.	Christopher Stidvent			X
77.	William Streeter, Esq.		X	
78.	Wade Sullivan			X
79.	Douglas W. Tsui (live or by deposition designation)	X		
80.	Guy Van Buskirk			X
81.	Kevin Walsh			X
82.	WITHDRAWN			
83.	Corporate representative of Broadcom Corp.		X	
84.	Corporate representative of 4 Eagle Magic, LLC			X

<b>No.</b>	<b>Witness</b>	<b>Will Call</b>	<b>May Call</b>	<b>May Call But Probably Won't Call</b>
85.	Corporate representative of Cisco Systems, Inc.		X	
86.	WITHDRAWN			

Dated: April 14, 2010

Respectfully Submitted,

/s/ Mark J. Abate

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*ATTORNEYS FOR DEFENDANT  
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**Certificate of Service**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service, Local Rule CV-5(a)(3)(A), on this the 14th day of April, 2010.

/s/ Mark J. Abate

Mark J. Abate